

1-11-06
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

FIDELITY & GUARANTY INSURANCE
UNDERWRITERS, INC.

PLAINTIFF/COUNTER-DEFENDANT

vs.

No. 1:04CV115-D-D

JANICE SULLIVAN

DEFENDANT/COUNTER-PLAINTIFF

ORDER GRANTING MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that

- (1) the Plaintiff's motion for summary judgment (docket entry 51) is GRANTED;
- (2) the Defendant Janice Sullivan is not entitled to uninsured motorist benefits under the subject insurance policy because her claim is barred by the statute of limitations, and the Plaintiff is not obligated to pay the default judgment the Defendant has obtained against Peggy Earnest in the Circuit Court of Itawamba County; and
- (3) this case is CLOSED.

All memoranda, depositions, declarations and other materials considered by the court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this the 11th day of January 2006.

/s/ Glen H. Davidson
Chief Judge